

REMARKS

Reconsideration of the present application is respectfully requested. No claims have been amended, added, or canceled in the present response. Claims 1-8, 10-19, 21 and 22 are currently pending.

Claims 1-8, 10-19, 21 and 22 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,406, 588 to Birchler et al. ("Birchler") in view of U.S. Patent No. 5,911,124 to Doran et al. ("Doran"). Regarding independent claim 1, at page 3, lines 5-7, the Office Action acknowledges that Birchler fails to disclose the feature of independent claim 1 of "transmitting, via the digital cellular radio system, the noise estimation measure or a post-processed version of the noise estimation measure to a link quality control system of the digital cellular radio system." The Office Action asserts that column 3, lines 46-65 of Doran teaches this feature of independent claim 1. Applicant respectfully disagrees that the cited portion of Doran teaches this feature of claim 1. Column 3, lines 46-65 of Doran describes selecting a superior signal from among an audio input signal and an echo-filtered signal to be output from an echo canceller. Doran further describes processing the superior signal from the echo canceller output (i.e., the echo filtered signal or the unmodified audio input signal) for transmission over a wireless communication channel.

Applicant respectfully submits that Doran contains no teaching or suggestion of transmitting a noise estimation measure, or a post-processed version of a noise estimation measure, much less transmitting a noise-estimation measure or a post-processed version of the noise-estimation measure to a link quality control system. Applicant respectfully submits that independent claim 1 distinguishes over Birchler in view of Doran and requests that the 35 U.S.C. 103(a) rejection of independent claim 1 be withdrawn.

Regarding independent claim 14, the Office Action acknowledges that Birchler fails to disclose "transmitting, via the digital cellular radio system, the noise-estimation measure or a post-processed version of the noise estimation measure to a link quality control system of the digital cellular radio system." Independent claim 14 includes the feature of "means for transmitting, via the digital cellular radio system, the stored consecutive values, the extracted trend, a post-processed version of the stored consecutive values, or a post-processed version of

the extracted trend to a quality control system of the digital cellular radio system.” The Office Action asserts that column 3, lines 46-65 of Doran teaches this feature of independent claim 14. For similar reasons to those discussed with respect to independent claim 1, Applicant respectfully disagrees that the cited portion of Doran teaches this feature of independent claim 14. Applicant respectfully submits that independent claim 14 distinguishes over Birchler in view of Doran and requests that the 35 U.S.C. 103(a) rejection of independent claim 14 be withdrawn.

Regarding independent claim 21, the Office Action acknowledges that Birchler fails to disclose “transmitting, via the digital cellular radio system, the noise estimation measure or a post-processed version of the noise-estimation measure to a link quality control system of the digital cellular radio system.” Independent claim 21 includes the feature of “means for storing, evaluating, and transmitting, via the digital cellular radio system, at least one of resulting noise estimation measurements and post-processed versions of the resulting noise estimation measurements to a link quality control system of the digital cellular radio system.” The Office Action asserts that column 3, lines 46-65 of Doran teaches this feature of independent claim 21. For similar reasons to those discussed with respect to independent claim 1, Applicant respectfully disagrees that the cited portion of Doran teaches this feature of independent claim 21. Applicant respectfully submits that independent claim 21 distinguishes over Birchler in view of Doran and requests that the 35 U.S.C. 103(a) rejection of independent claim 14 be withdrawn.

Claims 2-8, 10-13, 15-19, and 22 are dependent upon and includes the features of their respective independent claims 1, 14, and 21. For at least the reasons discussed above with respect to independent claims 1, 14, and 21, Applicant respectfully submits that claims 2-8, 10-13, 15-19, and 22 also distinguish over Birchler in view of Doran and requests that the 35 U.S.C. 103(a) rejection of claims 2-8, 10-13, 15-19, and 22 be withdrawn.

In view of the above, each of the presently-pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

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Respectfully submitted,

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